IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.1495 OF 2005
IN
APPEAL (LODGING) NO.401 OF 2004
IN
WRIT PETITION NO.2976 OF 2003

Batliboi Employees Union Appellant

versus

Batliboi Ltd. and another Respondents

Mr.V.A.Pai for appellant.
Mr.C.U.Singh, Sr.Counsel with M.N.M.Makandar with Mr.P.N.Shastri for respondents.

CORAM : DR.S.RADHAKRISHNAN AND
S.C.DHARMADHIKARI, JJ.
DATE : 25th October 2005

PC :

1. Heard learned counsel for parties. By this Notice of Motion the appellant is seeking condonation of delay of 119 days in filing the appeal. We have perused the affidavit in support as well as affidavit in reply. For the reasons stated in the affidavit, sufficient cause is shown for condoning the delay. There is no case of inaction, negligence or want of bona fides. Hence Notice of Motion is made absolute in terms of prayer clause (a).

(DR.S.RADHAKRISHNAN, J.)

(S.C.DHARMADHIKARI, J.)